

Membership Balance Plan  
Board of Visitors, National Defense University

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Board of Visitors, National Defense University (“the Board”).
2. Mission/Function: The Board provides independent advice and recommendations to the Secretary of Defense and/or the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, on the overall management and governance of the National Defense University and its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world. The Chairman of the Joint Chiefs of Staff may act upon the Board’s advice and recommendations.
3. Points of View: The Board is comprised of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development. The Department has found that viewing the complex issues facing the National Defense University through a multidisciplinary advisory committee provides the Department and, more importantly, the American public with a broader understanding on which to base subsequent policy decisions.

Each Board member is appointed to provide advice to the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Board members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Those who are full-time or permanent part-time Federal officers or employees shall be appointed to serve as regular government employee (RGE) members, pursuant to 41 C.F.R. § 102-3.130(a).

The Board’s membership balance is not static, and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Chairman of the Joint Chiefs of Staff, as the Board’s Sponsor. In addition, the DoD, unless otherwise instructed by statute or presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: The DoD, in selecting potential candidates for this Board, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of primary interest to the National Defense University.

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Potential candidates are identified by the National Defense University community, including existing Board members, and in some instances based upon discussions with other professionals. Nominations may be requested through the Federal Register, websites, and from all geographical locations within the United States or its Territories.

Once potential candidates are identified, the President, National Defense University, in consultation with the Board's Designated Federal Officer, reviews the credentials of each individual and narrows the list of potential candidates. During the President's review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the anticipated subject matters that will be reviewed by the Board to achieve expertise in points of view regarding anticipated topics.

After the list of candidates has been narrowed, it is forwarded to the Chairman of the Joint Chiefs of Staff for review and formal nomination to the Secretary of Defense.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the Office of General Counsel of the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the Chairman of the Joint Chiefs of Staff formally nominates the potential candidates to the Secretary of Defense or the Deputy Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD-established or supported advisory committees and subcommittees, unless otherwise directed by statute or presidential directive.

Following approval by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of members to the Board for one-to-four year terms of service, with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Board, to include its subcommittees.

Membership vacancies for the Board and subcommittees will be filled in the same manner as described in the previous six paragraphs above.

6. Subcommittee Balance: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board.

All subcommittee members will be appointed in the same manner as Board members; that is,

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the Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal employees, will be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Those individuals who are full-time or permanent part-time Federal employees will be appointed to serve as RGE members, pursuant to 41 C.F.R. § 102-3.130(a).

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the rules and regulations issued by the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to the Federal Committees and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: August 30, 2014